

REMARKS

In accordance with the foregoing, claims 5-8, 13-18 and 20-23 are amended. No new matter is added. Claims 1-4, 10-12 and 19 are cancelled. Claims 5-9, 13-18, and 20-23 are pending and under consideration.

CLAIM OBJECTION

Claim 22 is amended herewith to depend only from amended claim 20.

CLAIM REJECTIONS UNDER 35 U.S.C. §101

Claims 1, 3, and 6 are rejected under 35 U.S.C. §101 as allegedly some of the steps recited therein do not include (1) a required tie to a statutory class or (2) transform underlying subject matter. As admitted in the Office Action (see page 3 lines 1 and 2), these requirements must be satisfied by a claim as a whole and not by individual operations recited in the claims. Therefore, Applicants believe that the application of the precedents and USPTO guidelines is improper. The claims are directed towards methods which are a statutory subject matter as processes.

Claims 1 and 3 are cancelled herewith. However, the subject matter of claim 1 is incorporated in amended claim 5. Applicants made a good faith effort to clarify the claimed subject matter in a manner that would overcome any concern that any claim does not result in a tangible output.

In view of the above arguments and the claim amendments, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. §101.

CLAIM REJECTIONS UNDER 35 U.S.C. §102 AND §103

Claims 1, 3-9, 12-17, 19-23 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,898,435 to Milman (hereinafter "Milman"). Claims 2, 10, 11, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Milman.

Milman discloses a method of processing and billing work orders.

Claims 1-4 are cancelled herewith and the features originally recited in claims 1 and 4 are now incorporated in amended independent claim 5. Applicants made a good faith effort to clarify the claimed features. No new matter is added, the claim amendments being supported by the originally filed specification.

Amended claim 5 patentably distinguishes from Milman at least by reciting

- calculating an average number of visits in charge per repair worker from the scheduled visit number for repair workers and the assigned number of workers for each area, to issue an order of the plurality of areas from a lower to a higher average number of visits in charge per repair worker; and
- extracting an appropriate repair worker based on the location of the customer's residence and the order.

Extracting the repair worker in the recited manner based allows minimizing the imbalance among the number of assigned tasks among areas (see paragraph [0205] of the specification).

Applicants found no evidence that Milman anticipates or renders obvious these features.

Therefore, amended claim 5 and claims 6-9 depending directly or indirectly from claim 5 patentably distinguish over the prior art.

Similarly, amended independent claim 13 patentably distinguishes over the prior art at least by reciting:

- issuing a dispatch instruction from the repair workers in an area with the smallest average number of visits in charge per repair worker;
- referencing a database that serves to manage a current location of repair workers;
- extracting an appropriate repair worker based on a location of a customer's residence to be visited.

Claims 14-17 depending directly or indirectly from claim 13 are patentable at least by inheriting patentable features from claim 13.

Amended independent claim 18 patentably distinguishes over the prior art at least by reciting:

- an eleventh unit that calculates an average number of visits in charge per repair worker from the scheduled visit number for repair workers and the assigned number of workers for each area, to issue an order of the plurality of areas from a lower to a higher average number of visits in charge per repair worker; and
- a twelfth unit that extracts an appropriate repair worker based on the location of the customer's residence and the order.

Amended independent claim 20 and claims 21-23 depending from claim 20 patentably distinguishes over Milman at least due to the following features of claim 20:

- a third unit that calculates an average number of visits in charge per repair worker

from the scheduled visit number for repair workers and the assigned number of workers for each area; and

- a fourth unit that issues a dispatch instruction in order from the repair workers in an area with a small average number of visits in charge per repair worker.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

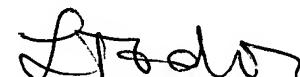
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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